

1. Claims 7-12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Latshaw in view of Kuo (6182981), and further in view of Liang (6082510), or in the alternative, under 35 U.S.C. 103(a) as being unpatentable over Latshaw in view of Kuo, Liang and further in view of either Metten (6997274, WP02078796). Latshaw teaches a long wheeled travel case with extendable wheeled support. Latshaw does not teach the extendable support length the swiveling wheels and the extendable support having distance less than a distance from the pivot location to an axis of the two edge wheels at 90 degrees. Kuo teaches that it is known in the art to provide a support with caster wheels having distance less than a distance from the pivot location to an axis of the two edge wheels as shown in Fig. 5.

Liang also shows a support device with a support with a distance less than a distance from the pivot location to an axis of the two edge wheels.

It would have been obvious to one of ordinary skill in the art to provide the support wheels with a distance as claimed to provide the desired tilt angle and/or location for the support for the device and to enable one to maneuver the device easily.

With respect to the angle of 90 degrees, it would have been obvious to one of ordinary skill in the art to provide the tilt angle of 90 degrees to provide the desired angle of support for stability.

In the alternative, Metten teaches that it is known in the art to provide a wheel support at a 90 degree angle with the base of a golf cart. It would have been obvious to one of ordinary skill in the art to provide the extended portion at an angle of substantially 90 degrees to provide the desired stable support angle.

Regarding claim 9, it would have been obvious to one of ordinary skill in the art to provide the extendable support between 30 and 50 percent of the case length to provide the desired length for the support.

2. Claims 7-12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over the prior art disclosure from Seven Oars in view of either Kuo '981, or in the alternative, under 35 U.S.C. 103(a) as being unpatentable over Seven Oars in view of Kuo '981, and further in view of Metten (6997274 - WO02/078796) . Applicant provided prior art pictures showing a similar golf bag as Latshaw with the support length is less than a distance from the pivot location to an axis of the two edge wheels. It is noted that the device in this prior art has the same assignee as the device in Latshaw. Kuo teaches that it is known in the art to provide swiveling caster wheel. It would have been obvious for one of ordinary skill in the art to provide swiveling caster wheels (see fig. 18) to enable one to transport the device easily.

With respect to the angle of 90 degrees, it would have been obvious to one of ordinary skill in the art to provide the tilt angle of 90 degrees to provide the desired angle of support for stability.

In the alternative, Metten teaches that it is known in the art to provide a wheel support at a 90 degree angle with the base of a golf cart. It would have been obvious to one of ordinary skill in the art to provide the extended portion at an angle of substantially 90 degrees to provide the desired stable support angle.

3. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scoglio (6634496) in view of Kuo (5873439), and further in view of DeMichele (6330944). Scoglio teaches luggage having wheels at 30, a handle at 40. It would have been obvious to one of

ordinary skill in the art to provide a support with swiveling casters as taught by Kuo to enable one to support the device in a tilt angle easily.

With respect to the size of the case, it would have been obvious to one of ordinary skill in the art to provide the case of Scoglio being greater than 40 inches to provide the desired size for the container.

With respect to the handle, the handle in on one of the top surfaces as claimed. Furthermore, note that the handle meets the claimed limitation when it is retracted.

With respect to the extendable support angle, it would have been obvious to one of ordinary skill in the art to provide the support angel as claimed to provide the desired stability for the case.

DeMichele also teaches that it is known in the art to provide a handle on the top wall. It would have been obvious to one of ordinary skill in the art to provide a handle on the top wall to handle the bag and/or to access the inside contents easily.

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571)272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tri M. Mai/
Primary Examiner, Art Unit 3781